

REMARKS

Claims 1 through 3 are currently pending in the application.

This amendment is in response to the Office Action of September 9, 2004.

Information Disclosure Statement(s)

Applicants note the filing of an Information Disclosure Statement herein on July 22, 2003, and note that a copy of page 2 of the PTO-1449 was not returned with the outstanding Office Action. Applicants respectfully request that all information cited on the PTO-1449 (which is the same as that of record to that date in the parent application hereto) be made of record herein.

Preliminary Amendment

Applicants note the filing of a Preliminary Amendment on December 12, 2003, which filing was not acknowledged in the outstanding Office Action. Should the Preliminary Amendment have failed to have been entered in the Office file, Applicants will provide a true copy to the Examiner.

Double Patenting Rejection Based on U.S. Patent No. 6,597,066 in View of U.S. Patent 5,453,583 to Rostoker et al.

Claims 1 through 3 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent 6,597,066, in view of Rostoker et al. (U.S. Patent 5,453,583). In order to avoid further expenses and time delay, Applicants elect to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 C.F.R. §1.321 (b) and (c). Applicants' filing of the terminal disclaimer should not be construed as acquiescence of the Examiner's double patenting or obviousness-type double patenting rejection. Attached is the terminal disclaimer and accompanying fee.

Applicants submit that claims 1 through 3 are clearly allowable.

Applicants request the allowance of claims 1 through 3 and the case passed for issue.

Respectfully submitted,



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